



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of: **IKARI, MASANORI**

Serial No.: **09/814,099**

Filed: **March 22, 2001**

Group Art Unit: 3661

Examiner: **NGUYEN, THU V.**

P.T.O. Confirmation No.: 2044

For: **Working Unit Control Apparatus of Excavating and Loading Machine**

**RESPONSE TO THE RESTRICTION REQUIREMENT**

**DATED MARCH 21, 2002**

**RECEIVED**

Commissioner for Patents  
Washington, D.C. 20231

APR 12 2002

Date: April 10, 2002

Sir:

**GROUP 3600**

This paper is submitted in response to the Official Action dated **March 21, 2002**.

In the Action, restriction is required between Group (I), Claims 1-3, 11-13, drawn to detecting start of excavation; Group (II), Claims 4, 4/10, drawn to boom control; Group (III), Claims 5-7, 8, 5/10, 8/10, drawn to bucket control; and Group (IV), Claims 9, 9/10, drawn to excavation control depending on excavation material.

Applicant hereby elects the subject matter of Group (I), Claims 1-3 and 11-13 for prosecution in this application. This election is made without traverse, it being understood that the applicant's rights to the filing of a divisional application directed to the non-elected subject matter under 35 USC 120 and 35 USC 121 are retained.

In the event that this paper is not timely filed, applicant hereby petitions for an appropriate extension of time. The fee for any such extension may be charged to our Deposit Account No. 01-2340.

In the event any additional fees are required in connection with this response, please  
charge our Deposit Account No. 01-2340.

Respectfully Submitted,

ARMSTRONG, WESTERMAN & HATTORI, LLP



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WGK/nrp

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